

AGENDA

NORTH DAKOTA RACING COMMISSION

**Live and Telephone Meeting
500 North 9th Street, Bismarck, ND
Tuesday, August 30, 2005
1:30 p.m. (central time)**

1. Approval of Minutes
- April 12, 2005
2. Vacant Director's position
3. NAPRA Fall Convention – Sept. 23-26, 2005
- Approval for attendees and travel expenses
4. New Site Applications
 - Fair Circuit Horse Racing Association
Move site to 2305 Main Ave. in Fargo
 - Horse Race North Dakota - Fargo
Howard Johnson, 301 3rd Ave. N, Fargo
5. Appeals of race results and rulings at 2005 ORDA/Belcourt Race Meet
 - LaMoine LaFloe
 - Darrel Smith
6. Any other business which may properly come before the Commission
7. Adjournment

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If you plan to attend the meeting and will need special facilities or assistance relating to a disability, please contact the Racing Commission at 701-328-4633.

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NORTH DAKOTA RACING COMMISSION

**Live and Telephone Meeting
500 North 9th Street, Bismarck, ND
Tuesday, August 30, 2005
1:30 p.m. (central time)**

PRESENT:

Chairman James Boehm, Commissioners Jim Arthaud by phone, Jim Clement by phone, Clarence Frederick, DeAnn Pladson by phone, Legal Counsel Bill Peterson and Administrative Officer Helen Tessmann.

OTHERS PRESENT:

Virginia Rivinius	Dave Wisdom
Les Schmidt	Doug DeMontigny
Rob Lynch	Darrell Smith
Randy Blaseg	Noreen Cavanaugh
Mike Cichy	Rocky Bateman
Tom Rafferty	Leon Glasser
Doug Plummer	Jannel Cole

Chairman Boehm called the meeting to order and asked Administrative Officer to call the roll.

Commissioner Arthaud	Here (by phone)
Commissioner Clement	Here (by phone)
Commissioner Frederick	Here
Commissioner Pladson	Here (by phone)
Chairman Boehm	Here

Chairman Boehm stated Item #3 NAPRA Fall Conference will be moved to the bottom.
Chairman Boehm also informed that Jamestown Eagles and Rooters Bar sites are closing.

Commissioner Frederick made a motion to approve the agenda as presented. The motion was seconded by Commissioner Arthaud. Chairman Boehm asked for all in favor to the agenda say aye. **All Commissioners voted aye and with no opposition the motion passed.**

AGENDA ITEM #1

1. Approval of Minutes

- April 12, 2005

Commissioner Arthaud made the motion to approve the minutes of April 12, 2005. The motion was seconded by Commissioner Frederick. All commissioners voted aye and with no opposition the motion passed.

AGENDA ITEM #2

2. Vacant Director's position

Prior to the meeting an information packet was provided to all commissioners by Virginia Rivinius of Human Resource Management Services. Virginia made a presentation of the time

line, draft position description, draft vacancy announcement, recruitment process and cost of advertising.

Chairman Boehm stated he and the Administrative Officer had met with the Governor's staff and discussions included ND Racing Commission becoming a stand alone state agency. Chairman Boehm also added that he is awaiting information from the OMB Budget Analyst regarding the budget and whether it is feasible to consider the director's position as part-time versus full-time. The Administrative Officer, the Chairman and Commissioners discussed additional agency duties and workload that has come about since becoming a stand alone agency. The Chairman suggested obtaining more information before a decision is made regarding the director's position being part-time or full-time.

Commissioner Frederick made the motion to table the decision for part-time status versus full-time status for the director's position until more information is provided including budget information. Commissioner Clement seconded the motion.

After further discussion the Chairman asked the Administrative Officer to take the roll:

Commissioner Clement	Yes
Commissioner Frederick	Yes
Commissioner Arthaud	Yes
Commissioner Pladson	Yes
Chairman Boehm	Yes

The motion carried unanimously.

AGENDA ITEM #3

3. New Site Applications Fair Circuit Racing Association Application

All Commissioners had previously received a copy of Fair Circuit Horse Racing Association's site application. Chairman Boehm stated that Fair Circuit Horse Racing Association wanted to move from the present site at Howard Johnson at 301 3rd Avenue N in Fargo to 2305 Main Ave in Fargo.

Commissioner Clement made a motion to approve the site application for Fair Circuit Horse Racing Association. Commissioner Arthaud seconded the motion. With no further discussion Chairman Boehm asked Administrative Officer to take the roll.

Commissioner Clement	Yes
Commissioner Arthaud	Yes
Commissioner Pladson	Yes
Commissioner Frederick	Yes
Chairman Boehm	Yes

The motion carried unanimously.

Horse Race North Dakota Application Howard Johnson, 301 3rd Ave N, Fargo

All Commissioners had previously received a copy of the site application for Horse Race North Dakota for a site at Howard Johnson's at 301 3rd Ave. N in Fargo.

Rob Lynch, General Manager, spoke on behalf of the Horse Race ND's site application. He gave a report on the current live race meet in Fargo which included revenue for concessions, beverages, food, merchandise, gate operations, program advertising and sponsorships to date for the 2005 live race meet. Revenue comparisons were made to the first season in 2003 and the 2004 season. They are having a great season and attendance is up. Further discussion included Mike Cichy reporting on the current wagers since the new biennium started.

Commissioner Arthaud made the motion to approve the site application for Horse Race ND at the Howard Johnson location in Fargo. Commissioner Pladson seconded the motion. With no further discussion, Chairman Boehm asked Administrative Officer to take the roll.

Commissioner Arthaud	Yes
Commissioner Pladson	Yes
Commissioner Clement	Yes
Commissioner Fredericks	Yes
Chairman Boehm	Yes

The motion carried unanimously.

Chairman Boehm asked Commissioner Pladson to complete a site inspection for Fair Circuit Horse Racing Association's new site.

AGENDA ITEM #4

4. Appeal of race results and rulings at 2005 ORDA/Belcourt race meet

Legal Counsel Bill Peterson explained the two appeals which were before the commission from LaMoine LaFloe and Darrel Smith.

Commissioner Arthaud made the motion to dismiss LaMoine LaFloe's appeal for lack of authority to decide. Commissioner Clement seconded the motion. With no further discussion the Chairman asked the Administrative Officer to take the roll:

Commissioner Arthaud	Yes
Commissioner Clement	Yes
Commissioner Fredericks	Yes
Commissioner Pladson	Yes
Chairman Boehm	Yes

The motion carried unanimously.

Commissioner Arthaud made a motion to dismiss Darrel Smith's appeal for lack of authority to decide. Commissioner Clement seconded the motion. With no further discussion the Chairman asked the Administrative Officer to take the roll:

Commissioner Arthaud	Yes
Commissioner Clement	Yes
Commissioner Fredericks	Yes
Commissioner Pladson	Yes
Chairman Boehm	Yes

The motion carried unanimously.

AGENDA ITEM #5

5. NAPRA Fall Convention – Sept. 23-26, 2005
Approval for attendees and travel expenses

Commissioner Frederick made the motion to approve Commissioner Pladson attending the NAPRA Fall Conference in Wyoming and to approve payment of the conference expenses. Commissioner Arthaud seconded the motion. With no further discussion the Chairman asked for all in favor of the motion to say aye. **All commissioners voted aye and with no opposition the motion passed.**

AGENDA ITEM #6

6. Any other business which may properly come before the Commission

(There was no other business before the Commission.)

AGENDA ITEM #7

7. Adjournment

With no further business, Commissioner Arthaud made the motion to adjourn the meeting. Commissioner Clement seconded the motion. Chairman Boehm asked for all in favor of the motion to say aye. **All commissioners voted aye and with no opposition the motion passed.**